

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GLEN FOLSOM,

Petitioner,

v.

R. BYRD,

Respondent.

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Case No. CIV-18-904-G

ORDER

This matter is before the Court pursuant to the Order entered November 15, 2018 (Doc. No. 12) adopting the Report and Recommendation of United States Magistrate Judge Shon T. Erwin and advising Petitioner that unless he pays the \$5.00 filing fee within 21 days from the date of the Order, this case would be dismissed without prejudice. As of this date, Petitioner has not paid the filing fee or sought an extension of time within which to do so.

Therefore, this matter is DISMISSED without prejudice. Because reasonable jurists would not find it debatable that Petitioner was required but failed to pay the filing fee, and therefore the Petition should be dismissed without prejudice, the Court denies a certificate of appealability. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000); R. 11, Rules Governing § 2254 Cases in U.S. Dist. Cts.

IT IS SO ORDERED this 22nd day of February, 2019.



CHARLES B. GOODWIN
United States District Judge